

REMARKS

By this Office Action, the Examiner has required restriction to one of the following inventions under 35 U.S.C. §121:

- Group I. Claims(s) 1-17, 20-23 and 34-40, drawn to a method of treating soft skeletal injury classified in 128/898 or 424/93.7.
- Group II. Claims 19, drawn to a kit for delivery classified in 604/22.
- Group III. Claim(s) 24-33, drawn to a treatment composition classified in 424/93.7.

Responsive to the Requirement for restriction, Applicants elect to prosecute the invention of Group I, without traverse, Claims(s) 1-17, 20-23 and 34-40, drawn to a method of treating soft skeletal injury classified in 128/898 or 424/93.7.

The Office Action also indicates that Applicant is further required to elect a single species for each of the following:

- Species A: delivering the composition directly to the defect, as it relates to claims 1-17, 19, and 22-40.
- Species B: creating and/or cleaning a defect to receive the composition, as it relates to claims 1, 2, 4-17, 20-21, and 23-40.

Responsive thereto, Applicant elects Species A: delivering the composition directly to the defect, as it relates to the claims of Group I.

It is believed that the above species elections read on the claims specifically indicated above and dependent claims therefrom.

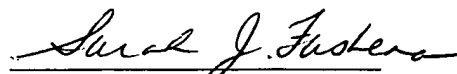
No fees are believed to be necessitated by the foregoing Response. However, should this be erroneous, authorization is hereby given to charge Deposit Account No. 11-1153 for any underpayment, or credit any overages.

Serial No.: 10/526,753

Attorney Docket No.: 2985-1-001

In view of the above, an early action on the merits of the Claims is courteously solicited.

Respectfully submitted,



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Date: April 2, 2009